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Unseasonably seasoned

AP Wirephoto

Justin Jaramillo, 3, gets some help from his mother as the two try their hand at a little fishing in a small lake at Dallas' Kidd Springs Park Wednesday. The two were taking advantage of Texas' unseasonably warm weather — Dallas reported a temperature of 76 degrees. Things are taking a seasonal turn, today, however, with colder temperatures due for the remainder of the week.

TWC affirms city's right to discharge wastewater

AUSTIN — The Texas Water Commission Wednesday affirmed an earlier decision to allow the city of Midland to discharge treated wastewater into Midland Draw and granted the city a temporary order to expand its use of wastewater for irrigation of farmland in the area.

The TWC voted unanimously to uphold a temporary order granted Dec. 22 to allow Midland officials to discharge up to 83 million gallons of treated sewage effluent into Midland Draw to prevent the rupturing of dikes around effluent holding ponds at its sewage treatment plant.

The commission's action will not allow any additional discharge into Midland Draw, but the temporary order will enable the city to use an additional 1,200 acres of land in the area for irrigation with treated wastewater.

A public hearing will be held at 2 p.m. Feb. 1 to give all affected parties a

chance to express their concern over whether that action should be rescinded or upheld.

Midland officials requested authority to discharge some of the effluent in its ponds two weeks ago when the city was in an emergency situation. The water level of the ponds was only about three inches from the tops of the dikes

Special to
The Reporter-Telegram
from our Austin Bureau

and city officials were concerned the ponds, which cover 123 acres, might rupture and send all the wastewater down Midland Draw.

Several area landowners and Midland County opposed that discharge, but the commission voted to allow discharge of 83 million gallons of effluent from the ponds and six million gallons

per day directly from the plant during a 14-day period.

Midland City Attorney Joe Nuessle presented evidence that the actual discharge totaled 78.5 million gallons over seven days, plus six million gallons per day from the plant for 10 days.

Ed L. Reed, the city's engineering consultant, said that discharge lowered the ponds by an average of about two feet.

Midland County Attorney J. Scott Henderson and attorneys for the area landowners contended that the actual discharge far exceeded the permit limits, but Texas Department of Water Resources staff members said the only apparent violation of the permit was in the rate of discharge.

Henderson and other opponents also contended that damage had occurred to county roads, pecan orchards and, possibly, to the groundwater quality in the area.

None of the opponents objected to

the planned expansion of irrigation activities, but attorneys Ted Kerr and Reagan Legg, representing area landowners, expressed concern over seepage from the holding ponds into groundwater supplies.

Nuessle, however, said the city has plans to discontinue disposal of effluent in the Midland Draw area within 18 months and to reduce the size of the ponds from 123 acres to only 20 acres. That reduction would significantly cut seepage, Reed said.

Reed also testified that the city is negotiating to acquire a site 11 miles south of Midland for future disposal of wastewater.

Nuessle said the additional acreage to be used for irrigation under the temporary order will be in use Feb. 1. That land includes 300 acres owned by Don Ratliff, 283 acres owned by J.R. Brooks,

(See TWC, Page 2A)

Poland's problems multiplied

Preparation for strike continues as snow falls

By The Associated Press

Blizzards pummeled northern Poland today, shutting down harbors and crippling rail service across the country, the official PAP news agency reported. It did not say whether shipments of food and supplies were disrupted.

Fierce winds downed power lines and rail passengers had to be "taken to safety" when their train became snowbound on the Hel Peninsula, the report said. Two passenger trains also got stuck in heavy snow for two hours in the northeastern province of Sulwaki, PAP said.

Meanwhile, two Solidarity leaders still at large were calling on Polish workers for passive resistance to the martial law regime and secret preparations for a general strike.

Wladyslaw Frasnynuk and Zbigniew Janas exhorted the workers in clandestine letters circulated in Warsaw, according to uncensored reports reaching the West. Poland's army newspaper reported that students were also trying to organize underground resistance.

"Remember that our union has not fallen apart from the stomping of (Premier-Gen. Wojciech) Jaruzelski's shoe," wrote Frasnynuk, a 27-year-old member of Solidarity's 18-man presidium and head of the independent union's Wroclaw regional branch.

Another letter signed by Zbigniew Janas, head of the Solidarity branch at the big Ursus tractor plant near Warsaw, called on the workers to make preparations "in deep conspiracy" for a general strike.

But both union leaders warned against violent resistance to the authorities, saying too much blood had been spilled already.

"Remember that the authorities are murderers," Janas wrote. "They are indifferent to the number of people they will shoot if it suits their interests."

There have been unconfirmed reports of more than 200 deaths under martial law, but the government insists there have only been eight.

Zolnierz Wolnosci, the army newspaper, said Tuesday that the Independent

Students' Association had planned to organize a new international organization with "anti-communist aims." It said the imposition of martial law thwarted the plans, and Radio Warsaw announced Tuesday that the students' association had been dissolved.

Trials of union militants continued. A Katowice court convicted five Solidarity members of illegal union activity in the Huta Katowice steel complex, PAP said today. They were sentenced to prison terms ranging from three to 6 1/2 years and their civil rights were suspended for two to four years.

The unionists were found guilty of "organizing, against martial law regulations and in spite of binding suspension of union activities, of strikes in the steel mill and publication of outlawed communiques and bulletins calling for the continuation of strikes and inciting to murder," PAP said.

In Tarnow province, three Solidarity workers drew three and 3/4-year prison terms for organizing and directing strikes at Cracow's Lenin Steelworks, the agency said.

Three men at the FSO automobile plant in Warsaw were sentenced Wednesday to two years in prison for leading a strike at their factory.

In Lodz, a four-year prison term and heavy fine were administered "for an impudent theft of a fur hat. A similar punishment was meted out to a man who snatched a shopping bag," PAP reported.

Elsewhere, two men were sent to jail for three years for assaulting policemen, the report said.

Capt. Wieslaw Gornicki, a close aide to Jaruzelski, denied a report received by a British group that Solidarity leader Lech Walesa was being transferred to a monastery to be held incommunicado under the protection of the Roman Catholic Church.

Gornicki told a Warsaw news conference Walesa was still held in a villa outside the capital, and the regime hopes the crisis will ease enough to allow him to resume his activities "as a trade union leader."

Bonds sold for apartment construction

By LANA CUNNINGHAM
Staff Writer

As the chance to purchase single family homes under a low-interest bond program vanished, the number of apartment units allowed under a different, yet similar, program mushroomed, according to a report given Wednesday to the Housing Authority of the City of Midland.

Fred Kester, secretary for the Housing Authority and member of the city and county housing finance corporations, updated the board on progress of various bond programs.

Three apartment developers have sold their bonds under the Multi-Family Mortgage Revenue Bond Program to put 708 units under construction. Three more developers have received deadline extensions to obtain their financing while another three received their inducement resolutions at the end of December, Kester said. This should put 2,286 apartment units on the market if all nine developers follow through.

Originally, the Midland Housing Finance Corporation had set a maximum of 1,650 units to be constructed under the low-interest bond program.

Kester said MHFC board changed its mind because of the long time period involved for the second three developers to obtain financing and because one of the last three applicants has selected a site at Fairgrounds Road and Hemlock Street, which is in east Midland.

"We think Midland can handle 2,286 apartments, and the board was anxious to see an apartment complex in east Midland," Kester said.

Housing Authority board member

Doug Henson said the MHFC panel had decided to "let everyone try" on the multi-family program. And if all the proposed apartments become available at once, the worst it would do "is provide competition in the market place."

Chairman Gene Abbott added that 2,286 apartments isn't too much for Midland.

And if all nine developments become a reality, this should put more than \$885,000 in a fund for housing, he said. Each developer must pay a 1 1/2 percent

commitment fee to participate in the program.

Henson noted that MHFC needs to "start thinking about the best way to use the money from the apartment development." The fund currently has \$330,000 in it.

A plan by the Midland County Housing Finance Corporation to sponsor a fourth Single Family Mortgage Revenue Bond Program in the city was dropped recently when local lending institutions refused to participate.

The reason, Kester explained, is that under a new federal regulation, lending institutions were to be allowed only .28 of 1 percent service charge, whereas they had been receiving .5 of 1 percent on the other bond programs.

"They all felt they couldn't handle the loans, they would lose money on it," he said.

In reviewing bills for the past two months and the Housing Authority's financial condition, Kester noted that bills had totaled \$4,811.16 for November and December. Abbott voiced his concern over increasing utility and maintenance costs, even though the bills still ran in line with the budget.

Burning passion for Poland's plight?

Sometimes, people take the president too seriously, as exemplified in a situation at Hillcrest Manor, the housing project for low-income elderly and handicapped citizens.

In reviewing past bills during a meeting Wednesday of the Housing Authority, Secretary Fred Kester noted repairs to a room damaged by fire.

Questioned by Chairman Gene Abbott as to the cause of the fire, Kester related:

"Do you remember when President Reagan asked everyone to put a lighted candle in their window as a symbol to the Polish people? One woman did that, only she was gone all day Christmas day."

By that evening, the candle had burned down, the window sill was flaming, the room was full of smoke and the windows had broken, he continued.

At the end of the narration, board member Ruth Wenck said dryly, "So much for Reaganomics."

Co-defendant says dual slaying a surprise to him

By ED TODD
Staff Writer

A co-defendant in the dual slaying of a reputed Midland cocaine dealer and his girlfriend testified in Midland's 142nd State District Court on Wednesday that the killing of the couple was a surprise to him.

Ollie Kemp, the 22-year-old co-defendant who has turned state's witness in exchange for a 25-year prison sentence under a plea-bargaining agreement, said that his now at-large companion, James Harris, also known as James Posey, shot the dealer, Charles Thomas Cole, 26, in the head despite pleas for mercy.

"You can have my money, anything," Cole supposedly cried before he died. Posey allegedly then turned Cole's own .38-caliber pistol onto Tracy

Endress, 18, and likewise shot her in the head, as she clutched her hair and bowed her head about 9:30 p.m. last May 31 at Cole's boarded-up frame house at 507 Spraberry Drive in southwest Midland.

On trial for the murder of Ms. Endress is Milton Clyde "Papa" Keith, 23, who alleged masterminded the robbery of Cole for his packaged cocaine and supposedly thousands of dollars which he carried in his trucker's wallet.

Kemp said that the killing of Cole and his girlfriend was not planned but that Posey fired at the couple on impulse.

However, Roy Harrison, a former detective with the Midland Police Department, testified that Keith made an oral confession to him on June 5 and

(See CO-DEFENDANT, Page 2A)

Chamber names vice president



Paul Harvel

Paul Harvel, executive vice president and general manager of the Greater Enid, Okla., Chamber of Commerce, has been named the new executive vice president of the Midland Chamber. The announcement was made this morning during a news conference in the chamber office by Larry Bell, chamber president.

Harvel replaces Frederick B. Tyler, who died Sept. 26, 1981.

In addition, Bell announced that Grant Billingsley will assume responsibilities in the newly-created position of general manager of the Midland Chamber of Commerce. Currently manager of economic development, Billingsley has served the Midland Chamber since August 1975 when he became public relations director. He served as acting executive vice president since Tyler's death.

According to Bell, Harvel has more than 13 years of experience in chamber work. He began his career with the Little Rock, Ark., Chamber of Commerce in 1968 as area development coordinator and was promoted to general manager before leaving Little Rock in 1975.

In March 1975, Harvel assumed the position of executive vice president and general manager of the El Dorado, Ark., Chamber of Commerce, and he held that position until 1979.

Harvel was named to the executive vice president position at the Enid chamber in March 1979. While in Enid, the chamber experienced a stable increase in income and located two major industries in the area. He also was executive director of Garfield County Industrial Trust Authority, which has issued about \$100 million in industrial revenue bonds and owns two industrial parks.

Other accomplishments at the Enid chamber include establishing a convention and visitors bureau and Downtown Enid, Inc.

Harvel is involved in numerous professional organizations, including the Governor's Industrial Team, president-elect of the Oklahoma Chamber of Commerce Executives, American Industrial Development Council and the Southern Industrial Development Council. He is a member of the Enid Rotary Club and Toastmasters International.

In 1981, Harvel was nominated for Oklahoma Executive of the Year Award. In 1977, he was named Outstanding Young Man of the Year in El Dorado.

Harvel holds a bachelor's and master's degree in science from East Texas State University, and has completed the six-year program at the Chamber of Commerce Institute for Organizational Management in Dallas. He and his wife, Barbara, will move to Midland by March 1.

INSIDE TODAY

Convicted killer

William Bonin Wednesday was convicted by a California Superior Court jury in the "Freeway Killer" case. He was found guilty of 10 murders and acquitted of two killings of young men and boys whose bodies were dumped near freeways.

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Weather

Cold, possible snow flurries tonight. Fair and a bit warmer Friday. Details on Page 2A.

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Montemayors granted change of venue

BROWNSVILLE, Texas (AP) — The federal trial of two brothers charged with operating a heroin and cocaine ring will be moved, probably to Victoria or Houston, because of local publicity over the case.

U.S. District Judge James DeAnda granted a change of venue Wednesday for Meyardo and Manuel Montemayor after more than 40 of the 53 potential jurors said they had heard of the case.

Nineteen panelists said they either had formed an opinion or would be influenced by what they already knew. DeAnda said he would announce the trial site after checking court dockets in Houston and Victoria.

DEANDA ALSO ordered a separate trial for another Montemayor brother in the case and allowed him to change lawyers and hire Percy Foreman of Houston.

Foreman was present Wednesday but said one of his associates, Charles Szekely, likely will handle the bulk of Matias Montemayor's case.

Matias Montemayor faces a minimum of 10 years in prison and up to a life term if convicted under racketeering statutes. A 16-count indictment returned in November identified him as the "organizer, supervisor and manager" of a family-run drug operation.

Five to six U.S. marshals remained in the courtroom during the pre-trial hearing Wednesday. Matias, Manuel and Meyardo Montemayor — all Mexican nationals — are in custody in lieu of large bonds.

MATIAS AND Manuel were transferred from the local county jail to Corpus Christi after authorities feared they might escape and slip across the Rio Grande into Matamoros, Mexico.

Two other brothers, Reyes and Benito Montemayor, were indicted but are fugitives and believed to be in Mexico.

Agents for the U.S. Drug Enforcement Administration have testified that the Montemayor family runs one of the largest brown heroin pipelines from Mexico to Chicago.

During a civil trial involving property confiscated from the Montemayors, witnesses testified they saw a heroin laboratory used by the family in Mexico.

THE FAMILY LOST an attempt to recover one home in McAllen, the furnishing of two houses and other objects seized by DEA agents under a civil law. The controversial statute allows seizure of goods purchased with proceeds of illicit drug transactions.

During the trial, Manuel Montemayor testified that the family had a

construction company in Mexico with government contracts. He said each family member received a substantial salary from the company.

Some property seized was ordered returned to the family. Many of those items eventually could be forfeited to the government under criminal seizure laws.

Matias and Benito Montemayor lived in Chicago during the early 1970s and bought expensive homes in McAllen in approximately 1978.

In addition to the racketeering indictment, Matias Montemayor faces a federal firearms violation charge. Meyardo Montemayor and his wife, Graciela, were indicted Dec. 29 on income tax evasion charges.

Manuel, Benito and Meyardo Montemayor also face charges of conspiracy to distribute \$3 million worth of cocaine.



Precipitation is expected for the coastal areas of the Pacific Northwest, central Southwest and much of the coastal South.

Midland statistics

WEATHER FORECAST table with columns for High, Low, and Precipitation. Includes National Weather Service Readings and Local Temperatures.

The weather elsewhere

Table listing weather conditions for various cities including Albany, Albuquerque, Amarillo, Anchorage, Ashland, Atlanta, Atlanta City, Baltimore, Birmingham, Bismarck, Boise, Boston, Brownsville, Buffalo, Charlotte, Charlotte NC, Charlotte WV, Cheyenne, Chicago, Cincinnati, Cleveland, Columbia, Dallas, Dallas-Ft. Worth, Denver, Des Moines, Detroit, Duluth, El Paso, Fairbanks, Hartford, Helena, Honolulu, Houston, Indianapolis, Jacksonville, Juneau, Kansas City, Las Vegas, Little Rock, Lubbock, Louisville, Memphis, Miami, Milwaukee, Minneapolis, Nashville, New Orleans, New York, Norfolk, Oklahoma City, Omaha, Orlando, Philadelphia, Phoenix, Pittsburgh, Portland, Portland Ore, Rapid City, Reno, Richmond, Salt Lake, San Diego, San Francisco, Seattle, St. Louis, St. Paul, St. Petersburg, Spokane, St. Paul, Washington, Wichita.

Texas forecasts

West Texas — Colder with occasional light snow north and cooler south today. Possible snow accumulations near 1 inch possible western Panhandle. Partly cloudy and cold with possible snow flurries most sections tonight. Partly cloudy with light rain or drizzle in the south and a little warmer. Highs 20s north to 30s south. Highs Friday 30s north to 40s south. Highs Friday 30s north to 40s south.

Border states forecasts

New Mexico — Travelers advisory for the western mountains for today. Occasional snow causing hazardous driving conditions in the west central mountains through out today. Scattered snow showers north and west spreading southward today with rain or snow showers possible southeast and southwest. Cloudy to partly cloudy tonight and Friday with rain or snow showers continuing south and widely scattered snow showers mainly mountainous north. Colder today, warmer northeast Friday. Highs mostly 20s north and mountains to 30s and 40s lower elevations south. Lows near to teens mountains and north to mostly 20s elsewhere. Highs Friday 20s northeast with 30s and 40s elsewhere.

Extended forecast

West Texas: Partly cloudy and warmer Saturday. Increasing cloudiness Sunday becoming cloudy Monday. A chance of rain possibly mixed with snow Panhandle Sunday. Highs in the 40s north to the 50s south and lower 30s Big Bend. Lows in the 20s north to the 30s south.

TWC affirms water decision

(Continued from Page 1A) 150 acres owned by J.D. Crawford, 237 acres owned by Donald R. Stroud, 100 acres owned by E.J. Jones and 223 acres of city-owned land. Nussle said 500 acres would come on line Thursday, with additional land to be in use by Jan. 13. "We've got the land lined up and we've got the equipment lined up," he said. "By the 13th of this month we should be in a position to dispose of 10 million gallons per day by irrigation." The city presently is irrigating some 5.5 million gallons per day, while the treatment plant is generating eight mil-

lion gallons of effluent daily. City officials blamed the unusually heavy rainfall in 1981 for creating the rapid increase in the plant output and cutting the amount of irrigation possible. Nussle said Wednesday's action should prevent the occurrence of a similar emergency and the need for any future discharged into the draw. Henderson said the county might institute legal action against the city to recover for damages to county roads, but added that he thinks a settlement can be reached in that matter. "I don't anticipate any lawsuits being filed," Henderson said.

Rayburn honored on birthday

BONHAM, Texas (AP) — A string of lawmakers lined up for their turn to remember the late Sam Rayburn on his 100th birthday, praising the man who served more years than anyone else as speaker of the U.S. House of Representatives. "He never forgot the people or his faith in America, its future and its youth," said House Majority Leader Jim Wright, who served under Rayburn. About 1,100 people crowded into the National Guard armory Wednesday to hear the Bonham native praised and enjoy birthday cake and punch. Former House Speaker Carl Albert said Rayburn "could be plain without being common."

Lady Bird Johnson, wife of former President Lyndon B. Johnson, said the 44-year veteran of the House "walked through the Capitol and district like a man driving a wagon — pulling up the reins to talk." Texas Gov. Bill Clements called Rayburn a "man of great honesty, integrity, leadership and skill." Also present were Sen. Lloyd Bentsen, D-Texas, Lt. Gov. Bill Hobby, former Lt. Gov. Ben Barnes, Texas Attorney General Mark White, Rep. Jim Mattox, D-Texas, and Texas Sen. Peyton McKnight. Rayburn, who served 18 years as House speaker, was elected to Congress in 1913 and served until his death in 1981.

West Texas may get snowfall

With a 20 percent chance of snow forecast for tonight, Midlanders may get a taste of a white West Texas winter yet. According to the National Weather Service at Midland Regional Airport, it will be cold with possible snow flurries tonight. Friday will bring fair skies and warmer temperatures. The low tonight is expected to dip

into the lower 20s with the high on Friday climbing near 50. Winds will be from the north and northeast at 5-10 mph tonight. Wednesday's high of 73 missed the record high of 75, set in 1935, by only two degrees. The overnight low of 18 was seven degrees warmer than the record low of 11, set in 1970.

BIRTHS MIDLAND MEMORIAL HOSPITAL Jan. 4, 1982 Mr. and Mrs. Heriberto Nava Gonzalez, 309 E. Longview Ave., a girl. Jan. 5, 1981 Mr. and Mrs. Steven Mark Cox, 1301 W. Illinois Ave., a girl.

Mr. and Mrs. Patrick Quinn Perez, 1710 N. A St. No. 3, a girl. Mr. and Mrs. Jesse Randall Shoemaker, 1106 McDonald St., a boy. Mr. and Mrs. Roy Lynn Paske, P.O. Box 726, Lamesa, girl.



'Tis the season Decorating a Christmas tree is one thing, but monkey bars? Neighborhood children apparently decided to create a little modern art at Ida Jo Moore Park, Nobles Avenue and A Street, by stacking trees on and around the monkey bars. The "sculpture" won't last long, however, since the city is scheduled to pick up the dumped Christmas trees Friday.

U.S. Steel takes control of Marathon

NEW YORK (AP) — U.S. Steel Corp. took control of Marathon Oil Co. today, besting Mobil Corp. in a \$6.2 billion takeover that was the second most expensive in American corporate history. It was Mobil's second failed attempt in six months to buy another oil company. Last summer, Du Pont Co. defeated Mobil with a \$7.8 billion offer for Conoco Inc. U.S. Steel began buying 51 percent of Marathon's common stock for \$125 a share today at 12:01 a.m. EST, the deadline a federal judge had set for Marathon shareholders to withdraw the shares they had tendered to U.S. Steel.

information office rang steadily with stockbrokers and shareholders seeking information. Messengers for law firms waited in the corridors with two-way radios to relay the word. In a brief order, Burger said Mobil had not justified "the extraordinary relief" it requested. Burger said he had advised other justices of his decision and did not find any "contrary views." Mobil spokesman John Flint said the company was studying Burger's ruling and planned no public statement.

DESPITE ITS SETBACK Wednesday, Mobil may not remain silent for long. The second-largest oil company had said earlier that if it lost the fight to U.S. Steel, it would seek to buy No. 17 Marathon indirectly, perhaps by buying as much as 25 percent of U.S. Steel's stock as a bargaining chip to pry loose Marathon's oil reserves.

The nation's largest steel company — which now becomes the nation's 12th largest industrial concern — said it wanted to buy Marathon as part of its campaign to diversify outside the steel business. Mobil, one of the more crude-oil poor of the international oil companies, had its eye on Marathon's vast oil reserves in Texas. The battle for Marathon was long and costly for all three companies. It began when Mobil announced last Oct. 30 that it would pay \$86 a share for two-thirds of Marathon's stock in a two-step deal valued at \$5.1 billion.

Co-defendant claims robbery became slaying 'on impulse'

(Continued from Page 1A) admitted that the robbery and murder of Cole was planned. "He (Keith), Ollie Glenn Kemp and James Posey had planned to rob Charlie Cole," Harrison testified under questioning by prosecutor David Joers. "He (Keith) also admitted they planned to kill Charlie Cole, because of his contacts, his underworld contacts. "You don't leave that type of person alive," Harrison said Keith told him. Evidence suggested that Keith had met Cole a week or two before the slaying through a mutual friend, who was a hustler for Cole's cocaine business, and knew were Cole lived. Keith allegedly went into Cole's house on the night of May 31 to make a deal on buying cocaine. Kemp testified the narcotic for quality and purity; Posey somehow got possession of Cole's snub-nosed .38-caliber revolver, robbed him of his wallet and cocaine and then shot Cole and Ms. Endress.

BEFORE THE RULING, telephones in the clerk's office and the public company will buy about 58 of each 100 shares tendered. The rest will be accepted after a merger, in exchange for U.S. Steel notes currently valued at about \$80 each. Due to the paperwork involved, U.S. Steel's bank is not expected to begin sending checks to Marathon's stockholders until Monday. On Wednesday, seven hours before U.S. Steel took control of Marathon, Chief Justice Warren E. Burger rejected Mobil's last-ditch plea to halt the takeover. Mobil wanted Burger to freeze the deal until the full court considered Mobil's formal appeal of a lower court ruling that blocked its \$6.5 billion bid.

Click, an Anglo, said he was a go-between for Cole, who also was white and who apparently did not like to deal with blacks. "Cole didn't like blacks, did he?" Garcia asked Click in alluding to the three black co-defendants. "Not usually," responded Click. "He (Cole) told me not to bring them (blacks) over unless they (Cole's friends) was with them," said Click.

The Reporter-Telegram erroneously reported Tuesday that Commercial Bank and Trust Co.'s fourth quarter deposits surpassed the \$1 billion mark. The bank actually surpassed the \$100 million mark, bringing its total deposits for the final quarter of 1981 to \$137,563,278.

Deposit correction The Reporter-Telegram erroneously reported Tuesday that Commercial Bank and Trust Co.'s fourth quarter deposits surpassed the \$1 billion mark. The bank actually surpassed the \$100 million mark, bringing its total deposits for the final quarter of 1981 to \$137,563,278.

HOME DELIVERY Paid-In-Advance 1-Yr. 6-Mos. 1-Mo. Evenings and Sunday \$42.00 \$24.00 \$4.00 Evenings Only \$28.00 \$18.00 \$3.25 Sunday Only \$12.00 \$7.50 \$2.00 MAIL RATES IN TEXAS 1-Yr. 6-Mos. 1-Mo. Evenings and Sunday \$72.00 \$42.00 \$6.00 Evenings Only \$48.00 \$30.00 \$4.50 Sunday Only \$20.00 \$12.50 \$3.25 MAIL RATES OUTSIDE TEXAS 1-Yr. 6-Mos. 1-Mo. Evenings and Sunday \$72.00 \$42.00 \$6.00 Evenings Only \$48.00 \$30.00 \$4.50 Sunday Only \$20.00 \$12.50 \$3.25 Foreign and other rates furnished upon request. All subscriptions payable in advance. All subscription rates revised October 1, 1978.

DEATHS

Melvin L. Graves

STANTON — Services for Melvin Lee Graves, 71, of Stanton, were to be at 3 p.m. today at the Stanton Church of Christ with Elmore Johnson of Lubbock officiating and Deral McWhorter of Stanton assisting. Burial was to be in Trinity Memorial Park at Big Spring under the direction of Gilbreath Funeral Home of Stanton.

Graves died Wednesday at his residence following a lengthy illness.

He was born Sept. 10, 1910, in Collin County. He moved to Martin County 70 years ago. He was a retired farmer and had worked at the Farmers' Co-op Store in Stanton for 25 years. He served as director of Martin County Farm Bureau for several years. He served on the Walcott school board. He was a member of the Stanton Church of Christ. He married Zona Doris Atchison Dec. 9, 1929, in Howard County.

Survivors include his wife of Stanton; a son, Lee Graves of Stanton; three daughters, Zona Clarine Graves of Carlsbad, N.M., Olga Modene Lundgren of El Paso, and Lora Lucy Miller of Monahans; a sister, Lorena Flowers of Midland; five brothers, Luben and Harold Graves, both of Stanton, Lester Graves of Tarzan, Ray Graves of Littlefield and I.T. Graves Jr. of Dumas; four grandchildren and four great-grandchildren.

James E. Eaton

STAMPS, Ark. — Services for James E. Eaton, 51, of Oklahoma City, Okla., and formerly of Midland, were held Wednesday at the First Baptist Church of Stamps, Ark. Burial was in Lakeside Cemetery under the direction of A.O. Smith Funeral Home in Stamps.

He died Saturday in an Oklahoma City hospital after a lengthy illness.

Eaton was a staff geologist with Michigan, Wisconsin Pipeline (American Natural Resources). He was a member of 217 Company C National Guard, a certified professional geologist, a member of the American Association of Petroleum Geologists, the AIME and the First Baptist Church. He is a former member of the Midland Lions Club.

Survivors include his wife, Mari-Anne Jones Eaton of Oklahoma City; and two brothers, George W. Eaton of Norway and John Eaton of Salt Lake City, Utah.

Allie O. Sprawls

STANTON — Services for Allie Ophelia Sprawls, 95, of Stanton, will be at 2:30 p.m. Friday at the First Baptist Church in Stanton, with the Rev. Ed Carson, pastor, officiating. Burial will be in Evergreen Cemetery under the direction of Gilbreath Funeral Home of Stanton.

Mrs. Sprawls died Wednesday in a Stanton nursing home following a lengthy illness.

She was born April 13, 1886, in Eastland County. She moved to Dawson County in 1922, and to Martin County in 1928. She had lived in Stanton since 1948. She married Jesse Tranvil Sprawls Jan. 3, 1909, in Cisco. He preceded her in death Jan 8, 1959.

Survivors include a son, Granvil Darwin Sprawls of Midland; three daughters, Mrs. Marshall Louder of Tarzan, Elna Sprawls of Stanton and Jewell Slotton of Lamesa; a sister, Cora B. Chunn of Dallas; 15 grandchildren; 42 great-grandchildren and 30 great-great-grandchildren.

Priests eulogize slain Angel as 'protector'

By PAUL MOSES
Associated Press Writer

NEWARK, N.J. (AP) — The Roman Catholic priests who eulogized the first Guardian Angel killed on patrol called Frank Melvin a protector of the elderly and poor on this city's mean streets.

"Our buildings were more protected. The senior citizens were smiling again. Everything was going beautifully, then lightning struck," the Rev. Luis Tesel said Wednesday during the funeral at St. Thomas Aquinas Church, where the Newark chapter of the nationwide anti-crime group was founded by Melvin.

Melvin, 26, a father of two, was fatally shot outside a housing project Dec. 30 by a Newark patrolman. Police Director Hubert Williams said officer Milton Medina mistakenly thought Melvin posed a threat to another officer.

The Guardian Angels dispute that Medina fired the shot, and the FBI has agreed to study the incident.

The civilian patrols were organized in New York three years ago, their members taking it upon themselves to guard people against crime in the subways and on the streets. Their work has often been scorned by police.

Members, wearing green camouflage pants, black Army boots and their trademark red berets, crowded the church.

"The '90s will belong to the Guardian Angels," Tesel told about 1,000 listeners. "They became the champions of a good cause ... They will prevail because they believe in what they do."

Many people in the church wore red ribbons in honor of the martial arts teacher who lived across the street from the church in a battered project he patrolled.

"Let us grieve for the tragedy, both for himself (Melvin) and the person who took his life. It is a double tragedy," said the Most Rev. Joseph Francis, the vicar of Essex County.

Meanwhile, Guardian Angels founder and leader Curtis Sliwa said the group will leave Trenton, the capital, this afternoon on a five-day march to Washington to ask civil-rights authorities to look into the shooting and the alleged harassment of members in other cities.

Before they depart, Sliwa said, they will stop in New York City to ask Mayor Edward Koch to contact police chiefs and mayors in other cities on their behalf.

Koch "is the one guy they might listen to," Sliwa said. "He has made a 180-degree turn regarding us, and a word from him might help prevent a tragic incident like this from happening again."

The New York City mayor last year sanctioned Guardian Angel patrols after the group agreed to bear identification and give police the whereabouts of their patrols.

Carl F. Jackson

ANDREWS — Services for Carl F. Jackson, 66, of Andrews, are pending under the direction of Singleton Funeral Home of Andrews.

Jackson died Monday at an Andrews hospital.

He was born Aug. 21, 1915, in Dymond. He moved to Andrews from Levelland in 1957. He worked as a truck driver for the county road and bridge department until his retirement in January 1981. He was a member of the Church of Christ of Andrews since 1967. He married Vera Nethery Nov. 10, 1937, in Forrestburg.

Survivors include his wife; two sons, Donald Jackson of Grand Prairie and Larry Jackson of Andrews; a daughter, Mary Eppler of Andrews; two sisters, Flora Mae Havin of Cement, Okla. and Esta Lee Melton of Cedar Hill; a brother, Andrew Jackson of Delores, Colo.; and eight grandchildren.

Fonda out of hospital

LOS ANGELES (AP) — Actor Henry Fonda is back home today after seven weeks at Cedars-Sinai Medical Center, where doctors monitored new treatment for his heart condition, officials said.

The 76-year-old actor has worn a pacemaker since 1974. He was hospitalized Nov. 17, "suffering some discomfort," said hospital spokesman Larry Baum.

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Adding more teeth

Traffic safety potentially took another leap forward Jan. 1 when a new requirement took effect mandating Texas drivers to carry proof in their vehicles that they have \$20,000 worth of liability insurance. The new law aims in the right direction to make drivers responsible for their actions, but it's likely more will be needed to keep irresponsible drivers off the state's roadways. Law enforcement agencies either will be soon or already are issuing tickets to motorists who fail to show proof of insurance when they are stopped. Ideally, of course, all motorists who do not now have liability insurance would acquire the coverage and obtain proof of that coverage. Some uninsured motorists will do exactly that — since they are now facing a certain fine anytime they are stopped. But there are some uninsured motorists who will continue to break the law and to threaten the property and financial safety of others. After all, if they'll drive without insurance now, they're likely to just pay the fine and keep on driving without insurance.

There are teeth to the new law. In addition to being fined, motorists unable to show proof of liability coverage also can be jailed — or both. And persons who violate the new law must prove financial responsibility for the next five years. Failure to do so will result in suspension of the motorist's driver's license and cancellation of the state motor vehicle registration. But that information is pretty well "invisible" to state troopers or local police until a vehicle is stopped. One way of helping make uninsured motorists a little more visible would be to make liability insurance coverage mandatory before a vehicle can be issued license plates. That way law enforcement personnel could quickly identify uninsured vehicles — unless, of course, the license plates were stolen.

To be fair to all motorists, the law must be enforced equally to every person who operates a vehicle on the state's highways. The new proof of liability law is a good one, but it may need this final set of "teeth" to make it effective.

'Men' of the Year

Who would you pick as the man or woman of the year? It is a game everyone has been playing for days. At the end of 1981, an assortment of people and periodicals devoted uncounted hours to the "Man of the Year" enterprise. The list included the obvious, such as Lech Walesa and Ronald Reagan. Pope John Paul II would have to be on anyone's list of the top 10 celebrities whose names were in the news, as would the Princess of Wales, and those brave men, John Young and Bob Crippin, who flew the shuttle Columbia into space. Such selections are arbitrary, to be sure, but the more we reflect on the people responsible for the achievements of a year, the better we can keep history in perspective. With that in mind, we are sure all closet historians would agree to two more nominations. Changing "Man" to "Men of the Year," surely the list would include those brave citizens of Afghanistan and Poland who have been fighting and dying for their countries. To the surprise and joy of the world, the Afghans did not lay down and play dead when Russian tanks rolled into their homeland. Thousands of them took up arms, and prevented the Kremlin from consummating its object of total occupation. It is one of the most amazing stories of resistance to tyranny in modern times. Millions of courageous Poles deserve a similar salute. Battling communism in Poland at one time seemed like a hopeless cause, as

Moscow's gauleiters called the signals in Warsaw, and the communist government in Warsaw held a knife to the throats of the citizens. Courageous Poles were not intimidated by that knife and 10 million workers joined the union Solidarity to wage one of the greatest fights for freedom of the century. Neither story had a happy ending in 1981. But there could be better days in 1982. That there is hope at all in the New Year, in Afghanistan and Poland, is made possible by the millions who believe in human rights, and the dignity of the individual. They are indeed the "Men of the Year."

TODAY IN HISTORY

Today's highlight in history: On Jan. 7, 1798, the first U.S. presidential election was held. On this date: In 1584, the Gregorian calendar was adopted by the Russian throne following the death of Feodor I. In 1927, radio-telephone service was opened between New York and London. And in 1979, Cambodia's Pol Pot regime fell to Vietnamese-backed rebels. Ten years ago: An Iberia Airlines jet crashed on the Mediterranean island of Ibiza, killing all 104 people aboard. One year ago: The Dow Jones Industrial average dropped 24 points, a day after investment adviser Joseph Granville urged his clients to "sell everything." Today's birthdays: cartoonist Charles Addams is 70. Thought for Today: "People generally quarrel because they cannot argue." — Gilbert Chesterton, British writer, 1874-1936.

GEORGE F. WILL

Douglas Fraser knows auto industry's potential for smashups

DETROIT — Because the automobile industry is so emblematic of America, and because its future is so problematic, the most intriguing domestic event of 1982 may be the negotiations between the companies and the United Auto Workers. The UAW, perhaps even more than the Democratic Party, is emblematic of modern liberalism. Walter Reuther is third only to Franklin Roosevelt and Lyndon Johnson as an achiever of the liberal agenda, and the UAW has an unmatched record of imagination and tenacity in promoting welfare guarantees and redistribution of wealth on behalf of its constituents. But in the automobile industry, as in the nation as a whole, the costs of such things are becoming painful. The industry's basic labor agreement is the direct descendant of one signed in 1946, when the economies of Japan and Germany were shattered and America's market was exploding with demand pent up during the Depression and war years. Today foreign competitors are robust: The world market is, for now, a replacement market; and Americans, confronted with five-digit



George F. Will

sticker prices, are buying more carefully and less frequently. Three years ago, auto workers got a contract that increased pay 15 percent in each of the last two years. But the UAW's active membership is down 300,000 to 1.2 million since 1979, and 945,000 members have been laid off. It may have to negotiate "give backs" (reduced benefits) in exchange for job security provisions. Today sales are dimly steady — steadily slow: about 6.3 million units in 1981, the lowest since 1961. The running tally is flashed on a giant digital scoreboard seen by drivers entering the city from the airport. It is enough to ruin a day. Sales are slow relative to the past, but not, perhaps, relative to the foreseeable future. The industry is short of working capital, and the "Big Three" lost nearly \$1 billion in the third quarter of 1981. And the phrase "Big Three" is now a misnomer. Today's automobile market is a world market, and the big three are General Motors, Ford (the largest producer outside the United States) and Toyota. Volkswagen is fourth. In the automobile industry, the Reagan administration's capital-raising measures of accelerated depreciation and tax credits will get one of their crucial tests: But tests take time and meanwhile Michigan's unemployment is at depression levels statewide (12 percent) and is, of course, worse in this city. Furthermore, the automobile industry is the engine that made an



WASHINGTON MERRY-GO-ROUND

'Hit squad' theory simply wasn't credible

WASHINGTON — Senate Majority Leader Howard Baker announced weeks ago that the threat to President Reagan and other high officials from Libyan assassination squads was "diminishing." What was diminishing was the credibility of the reported threat. The charges that led to the international uproar — and the tightened security measures at U.S. border crossings — were contained in a 40-page secret report by the CIA to the National Security Council. My associate Ron McRae has seen portions of this report.



Jack Anderson

From the outset, foreign policy experts outside the spy agency assessed the CIA's assassination alarm as "possible, but not much better than 10 percent." But obviously, however far-fetched the possibility, it had to be treated seriously by security agencies. "The Secret Service tracks down dozens of crank calls every year, including threats to shoot Reagan with psychic bullets," one official pointed out, adding, "But we don't broadcast them all over the world." What made non-CIA people in the administration suspicious of the Libyan hit squad story is clear from the CIA report itself: — The chief source of the hit squad allegation, who claimed to have been present when Libyan dictator Muammar Qaddafi gave orders for the assassins' mission, demanded \$500,000 for his information (whether he received it is unknown). The fact that the informer passed a lie-detector test is not compelling, a practical liar can beat the gadget, particularly someone with the coolness to demand a half-million for his story. — The informer also provided the names of some buddies in Beirut who would be willing to sell information on the drug traffic. The CIA recognized some of them as hustlers who had been peddling phony documents for years. Oddly enough, though the CIA itself was dubious about this part of the informer's material, the Drug Enforcement Administration began stuffing

suitcases full of cash in anticipation of a big score in Beirut. — Two of the 14 names on the hit squad were members of the Lebanese Shiite Moslem sect, Amal, which has been engaged in a blood feud with Qaddafi since their leader, Mousa Sadr, disappeared in Libya in 1978. The FBI claimed that the names were included because of a "computer error" and were quickly removed. Yet the names were still on the list in documents issued at least 12 days later. — Several of the informers are known to have connections with Israeli intelligence, which would have its own reasons to encourage a U.S.-Libyan rift. — The report calls the evidence of the hit squad's existence "overwhelming," and predicts that "more detailed information is forthcoming" from reliable sources. None materialized. — The CIA report predicted confidently that its evidence "guarantees the support of allied governments in any action deemed reasonably necessary to protect the lives of American officials." In fact, our allies, when briefed on the CIA findings, found them unconvincing — in a class with the white paper on El Salvador earlier last year, which was later shown to have relied on highly questionable and probably forged documents. Footnote: There is a possibility that the CIA was played for a sucker by its own "disinformation" campaign directed at Qaddafi. The campaign, ordered by CIA Director William Casey last May, used foreign nationals for the dirty work. Knowing what the CIA wanted, and without proper supervision by American agents, it's possible the CIA's foreign hirelings cooked up the "hit squad" on their own. It fit neatly into the Reagan administration's political scheme of things, and — viola! — a full-blown international incident was born. TAXPAYERS BITES BACK: While multimillionaires enjoy the luxury of their tax loopholes, 73-year-old Allan J. Oehmichen, with an income of less than \$800 a month, is being hounded by the Internal Revenue Service for \$20 the federal flyers claim he owes them for 1980. Oehmichen is a retired oil company executive of Pompton Plains, N.J. He filed what he thought was an honest accounting of the \$4,555 he earned as a consultant. Two of his clients deducted

a total of \$20 in federal income taxes from his fees. Oehmichen submitted \$181 in self-employment taxes for the year — not counting the \$20 that had already been withheld. Last August, the IRS bloodhounds demanded \$20 to make up for his "underpayment." Oehmichen dutifully sent in photocopies showing that the \$20 had been paid. In return, he got five forms demanding payment. He explained everything again — five times. Then IRS changed its tune: The \$20 wasn't for an underpayment — it was a penalty for having failed to estimate his income accurately in advance. Oehmichen still refused to pay the \$20. And he added this cri de coeur: "Finally, I must tell you: Get off my back; stop harassing me." WATCH ON WASTE: The armed forces offer generous bonuses to entice new recruits and reward service personnel for re-enlisting. The cost of the program has skyrocketed from \$170 million in 1975 to \$700 million this year. There have been doubts about the cost-effectiveness of the program, but an astounding 150 separate studies have failed to settle the question. The General Accounting Office is now working on Study No. 151. MARK RUSSELL SAYS We recently saw how simple it is to bring the government to a halt. As President Reagan said, "You just lock the safe, cut out the lights and leave. Then, the secretary of State puts out the cat. At that moment all "non-essential" government jobs were canceled. This could mean anything from the vice president to an air traffic controller. Government seemed so complicated to Reagan before he took over. But now, the bureaucracy is much easier to understand when he thinks of it as the little white frame house in Dixon, Illinois, where he was born. After vetoing the spending bill, about the only thing left to do was put up the storm windows at the Pentagon, leave a note for the milkman at the CIA and put James Watts' bulldozer up on cinder blocks. We must have the only government in the world with a nightlight. BEN WICKS negotiating less, and getting members to ratify it. His most forceful argument with his members may be: "Look South" — to Houston, where so many ex-members have had to migrate in search of new careers, and to Mexico, where GM and Ford are building factories capable of producing 800,000 engines a year, 80 percent of them for the United States. Of course, American consumers already have, in effect, shifted overseas a large portion of the production of automobiles sold here. Fraser understands, from two experiences, the industry's potential for smashups. He serves on the board of Chrysler. And in 1934, at age 18, he went to work in a Chrysler plant — making De Sotos.

ART BUCHWALD Sanctions don't sell in marketplace!

The way I heard the story — Boris had put pressure on Wodja, whose employees were about to go out on strike. Boris hates unions and he was afraid that if Wodja's employees went out on strike, then all the employees in the Red Square Shopping Center would follow suit.



Art Buchwald

When Ronnie, who runs the Great American Merchandise Mart, heard this, he became very angry. Ronnie, who doesn't like unions much himself, unless they're behind an Iron Curtain, announced he was not going to sell Boris any more goods unless he stopped putting pressure on Wodja. Boris got furious and said he didn't need to buy anything from Ronnie. He went into Helmut's West German Emporium and gave him a shopping list of items Ronnie wouldn't sell him. Helmut was delighted to take Boris's order, since business at the Emporium hadn't been very good lately. He started putting things into a box. Ronnie heard about this and called Helmut on the phone and said, "You're a very good friend of mine and the least you could do is cooperate in my boycott against Boris." Helmut said, "I think you're being too tough, Ronnie. What proof do you have that Boris was the one who stopped Wodja from organizing his union?" "I have lots of proof," Ronnie said. "You don't think all the union organizers would have been arrested by the store detectives, if Boris hadn't told them?" "That's mere conjecture on your part," Helmut said. "I'll keep selling whatever Boris needs until I'm certain he was behind breaking Wodja's union." After Boris took the box from Helmut, he went into the Galeries de Paris and said, "I need some tools." The manager of the Galeries de Paris was loaded down with French hardware and no one was buying. "Oui, Monsieur. We are holding a Lafayette Day sale in the basement right now." Ronnie dispatched one of his people to the French shop. "Have you heard about the sanctions we have imposed on Boris?" "No, I've been too busy taking inventory," the manager said. "The Great American Merchandise Mart is not going to sell anything to Boris until he stops interfering with Wodja's Polish Cooperatives." "Ah, that is good news," the French manager replied. "Then Boris will have to buy his hardware from us." "That wasn't the idea," Ronnie's man said. "If you sell Boris hardware, our sanctions won't work." "C'est la guerre," the manager said, and he went downstairs to see if he could help Boris find what he wanted. Boris bought everything he could get his hands on, and then asked, "Do you know where I can get any computer chips?" "I think you can find them at the Teahouse of the August Moon and Computer Shop down the street. You can't miss it. It has a Japanese flag in front of it." Ronnie was livid when he heard where Boris had gone. He called up Tora Tora, and shouted, "How are we ever going to show that we can stand up to Boris, if you welcome him into your Teahouse?" "But if we don't sell Boris computer chips, the Italians will." "They don't make computer chips." "No, but they can buy them from you, and sell them to whoever wants them." Ronnie was furious. "I'm going to call the Italian people right away." The Japanese manager said, "Hold it a moment. Boris wants to speak to you."

"Ronnie, this is Boris. Despite your sanctions, it is possible to get a double order of American wheat this year?" "No problem, Boris. I'll gift wrap it and send it out the first thing in the morning." (c) 1980, Los Angeles Times Syndicate

BIBLE VERSE

For the drunkard and the glutton shall come to poverty; and drowsiness will clothe a man with rags. Prov. 23:21 Happy are thou, O land, when thy king is the son of nobles, and thy princes eat in due season, for strength, and not for drunkenness. Eccl. 10:17

the small society



HOO-BOY! SINCE I'VE BEEN ON SOCIAL SECURITY... I FEEL AS IF I'M ON HOLD -

BR. Andrews

Stocks peering stock market report

New York Exchange

NEW YORK (AP) — Today's selected national prices for New York Stock Exchange...

Table of stock prices for various companies including A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z.

Mutual Funds

INVESTING COMPANIES... The following are the mutual funds...

Table of mutual fund prices and performance metrics.

Stocks in the spotlight

NEW YORK (AP) Sales, 6 p.m. price and change of the Dow Jones Industrial Average...

Table of stock prices for companies highlighted in the market report.

Commodities

CHICAGO (AP) — Futures trading on the Open Mercantile Exchange...

Table of commodity prices for various goods like oil, grain, and metals.

Bond sales

Approximate final total, previous day, month, year, and 5-year averages.

Table of bond sales data and prices.

Bond prices

Approximate final total, previous day, month, year, and 5-year averages.

Table of bond prices and yields.

Grain

FORT WORTH, TEXAS (AP) — Export wheat 4.80-4.85, domestic mill 5.80-5.75...

Table of grain prices and market news.

Cotton

DALLAS (AP) — Wednesday's price cotton quotation for strict low middling 1-18...

Table of cotton prices and market news.

Pacifists to pay penalty

WASHINGTON (AP) — Two pacifists who withheld part of their income taxes to protest arms spending have been ordered to pay a special penalty...

The U.S. Tax Court and the Internal Revenue Service conceded that Phyllis J. and Stephen M. Senesi of Kalamazoo, Mich., were sincere and conscientious in protesting the use of their taxes to "promote violence in our society."

But the forum for such protest is Congress and not the courts, wrote Judge Edna Parker. Even though the the Senesis knew their arguments were well-worn and meritless, the judge added, they made a conscious decision to register their protests against war and violence in this court...

Ms. Parker ordered the couple to pay the government an extra \$500, the maximum penalty allowed under a rarely used law aimed at discouraging the filing of suits that are designed merely to delay the payment of taxes.

The IRS originally billed the Senesis for \$203 in past-due 1978 taxes and a \$10.15 penalty for neglecting to pay. The new \$500 penalty is on top of that.

The action against the Michigan couple was the latest in a series of recent setbacks for the tax-protest movement. The Tax Court has ruled dozens of times that a person has no right to withhold his or her taxes to protest an act of government and has tossed out numerous form-letter cases contending the income tax and paper money are unconstitutional.

The protest movement is a major reason the Tax Court has a backlog of 40,000 cases. To discourage meritless suits, Congress raised the \$10 Tax Court filing fee to \$50, effective Jan. 1. The House and Senate are considering legislation to raise the maximum penalty in frivolous cases to as high as \$5,000.

In the Senesi case, Judge Parker wrote, "While this court has in the past bent over backwards to indulge conscientious tax protesters with their legally frivolous claims, such indulgence has not served to dissuade the very same protesters from instituting a second frivolous suit on the same stale issues."

Investor's Mortgage interest rates and all savers

Q. Is there any requirement that banks, savings and loan associations and credit unions use the money they get by selling "all savers certificates" (ASCs) to make home mortgages? I see no evidence, so far, that mortgage interest rates have come down to reflect the lower interest paid on ASCs.

A. The requirement is that banks and "thrift institutions" issuing ASCs must put into "housing-related or agricultural loans" either 75 percent of the money they take in from ASCs or 75 percent of the net increase in deposits from all "retail" sources, including regular savings accounts and other savings certificates.

A lot of the money that has gone into ASCs has come out of savings accounts and 182-day savings certificates. So, not all banks and thrifts have had net increases in retail deposits as a result of the ASC program.

Even those that have had net retail deposit increases aren't forced to make new home mortgages. That's because the definition of "housing-related loans" is very broad. Banks and thrifts can use ASC money to buy mortgage-backed securities and short-term notes from housing agencies, such as the Federal National Mortgage Association. They can also make short-term construction loans and second mortgages.

You are right. Mortgage interest rates have not dropped to the lower rate paid on ASCs. The interest on an ASC is equal to 70 percent of the yield on 52-week U.S. Treasury securities. ASC interest of course is free from federal income tax — up to \$1,000 for each taxpayer and \$2,000 on a joint return.

But remember that each ASC has a one-year maturity. Lots of banks and thrifts are reluctant to make long-term mortgages with money they can be sure of having on deposit at relatively low interest rates for only one year.

Q. I have a 30-month savings certificate on which the interest is compounded daily and credited to my account quarterly. Since I cannot cash the certificate before maturity without an early withdrawal penalty, is it true that I won't have to report the interest on my income tax return until the year the certificate matures?

A. No. That's false. On a savings certificate or other "time deposit" with a maturity of more than one year, you are required to report the interest on your tax return as it accrues each year. You'll get a Form 1099, listing each year's interest on the certificate, from the bank. Remember that the bank sends a copy of every Form 1099 to the Internal Revenue Service.

It's only on savings certificates with maturities of one year or less — such as 182-day "money market certificates" — that you can put off reporting the interest until they mature.

Q. When my dad turned 70, he was told by his banker he no longer needed to file a federal income tax return. He hasn't and is now 82. I know he has savings certificates and stocks and is living off interest, dividends and, sometimes, profit from the sale of stocks. Did he get some bad advice about tax return filing requirements?

A. That depends on his total income. If he's single and had taxable income of \$4,300 or more, he's supposed to file. If your mother is living and 65 or older, that number is \$7,400. Income tax filing requirements are determined by a combination of income and age — not age alone.

Q. When I filed in 1981 and have not received our 1980 federal income tax refund check. We would like to track it down. Where do we start?

A. At the Internal Revenue Service district office in the area from which you moved. Doyle welcomes written questions, but he will be able to provide answers only through the column.

WASHINGTON — A panel of female researchers Tuesday challenged suggestions that there is a genetic reason why boys are better than girls in mathematics.

Referring to a highly publicized Johns Hopkins University study on gifted children, University of Wisconsin educator Elizabeth Fennema charged that it did not demonstrate that there were "genetic differences" between the sexes in mathematical ability.

Saying there were "serious problems" with the controversial research, she charged that the Baltimore scientists and Science magazine were "socially irresponsible" in publishing the work. The study involved over 10,000 gifted children and found that boys were "superior" in mathematical reasoning.

Fennema said the suggestion that girls were naturally inferior in math would further discourage them because it sends a message to "lay people that girls shouldn't learn math."

She contended, in a news conference at the American Association for the Advancement of Science meeting here, that the genetic debate was "irrelevant" because social and educational factors are far more responsible for the reported math differences between the sexes.

She noted that there were not only sex-related differences in the amount of mathematics studied, but that females "appear not to be learning math as well as are males" because of differences in



Doyle

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WTSU head to run for state office

AUSTIN, Texas (AP) — Former state Sen. Max Sherman is giving up the ivory towers of West Texas State University for a chance at state attorney general's seventh-floor office.

Sherman on Wednesday entered the race to replace Attorney General Mark White, who is running for governor. Sherman told Capitol reporters he will enter the Democratic primary. Former U.S. Attorney John Hannah of Tyler is the only other announced Democratic candidate, but state Sen. Jack Ogg of Houston is expected to enter the race.

Sen. Bill Meier of Eules is the only GOP candidate. Sherman said he will resign as president of West Texas State on Jan. 16. During his news conference, Sherman refused to comment on some of the controversial lawsuits the state faces, including a prison reform case and a case involving education of illegal alien children.

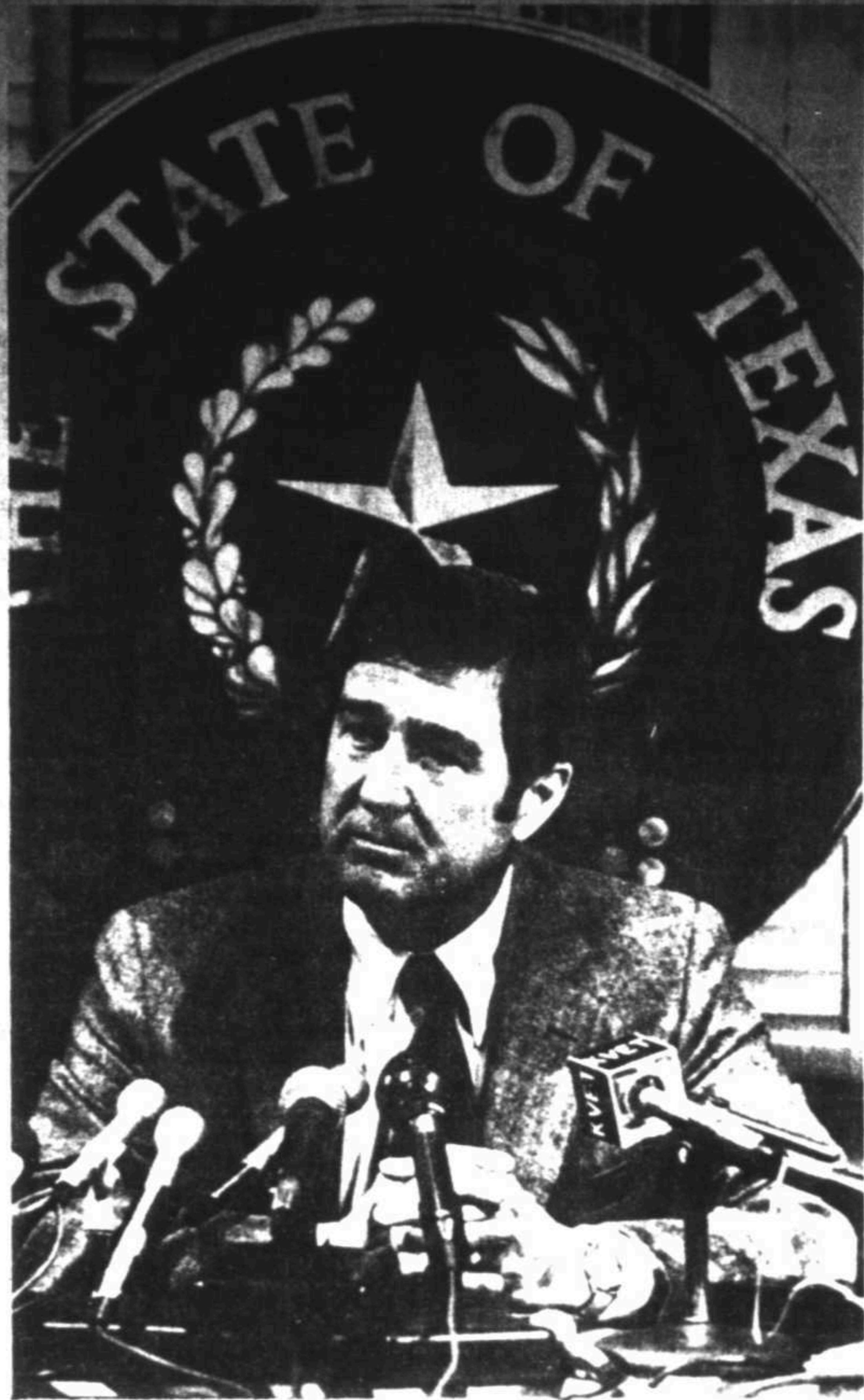
"I don't think it's appropriate to second guess unless you're familiar with all the factors involved," he said, adding any comment he made might "jeopardize or adversely affect that litigation."

However, Sherman said he would comment on the lawsuits later in the campaign, when he was more familiar with them.

The former Amarillo legislator said recruiting good assistants is among the most vital tasks facing an attorney general.

"Many times you don't have people for a long time," he said, and promised to "run the best law office possible."

Sherman, 46, is a Phillips, Texas native and served in the state Senate from 1970 through 1977.



West Texas State University President Max Sherman tells reporters he will enter the Democratic primary as a candidate for attorney general.

Mother hopes kidnapper gets long sentence

HAYWARD, Calif. (AP) — The mother of a boy who was kidnapped at age 7 and was missing for seven years says she fears the sentence for the boy's convicted abductor, Kenneth Parnell, may be too brief.

"We want to keep this fellow off the street," Kay Stayner said Wednesday after Parnell and co-defendant Ervin Murphy were convicted of kidnapping and conspiracy in the abduction of Steven Stayner, now 16. Murphy testified that Parnell was trying to build a family.

Prosecutors said Stayner was held psychological prisoner for seven years by Parnell in northern California. His years with Parnell ended on March 1, 1980, when he arrived at a Ukiah police station leading 5-year-old Timmy White, who had been abducted about two weeks earlier. Stayner said he didn't want Timmy to live the life he had lived.

PARNELL WAS convicted in Timmy's kidnapping earlier this year and sentenced to seven years in prison. Parnell, 50, and Murphy, 40, will be sentenced under the state's old indeterminate sentencing law because the crime was committed before the law was changed. They face terms of between one and 25 years for kidnapping, with any conspiracy sentences to run concurrently.

"I'm very happy the jury came in with a guilty verdict," Mrs. Stayner said. "But I'm anxious about the sentence he'll get... It could be a very long sentence or it could be very short. It will be up to the judge."

Judge M.O. Sabraw set sentencing for Feb. 3.

Parnell reacted with outward calm and Murphy chewed his knuckles as the Alameda County Superior Court jury's verdict was read after two days of deliberations.

Psychologists testified during the 18-day trial that Stayner may bear permanent psychological scars from his years with Parnell.

Although defense witnesses who became acquainted with Parnell and Stayner testified the two seemed to have a normal father-son relationship, the boy testified he was sexually abused by Parnell.

As a result of his years with Parnell, a prosecution psychologist testified Stayner is "psychologically naive" and feels guilty about his sexual experiences.

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Hastings to be arraigned on bribery charges

MIAMI (AP) — U.S. District Judge Alcee Hastings was going to court today to be arraigned on bribery charges in the same courthouse where he has presided for nearly three years. Hastings is the only sitting federal judge to be indicted on criminal charges, according to historians.

Hastings and Washington lawyer William Borders Jr. were indicted last week on charges of conspiring to solicit a \$150,000 bribe in return for favors to

be granted two defendants in Hasting court.

Borders was arraigned Wednesday and pleaded innocent. He was freed on \$25,000 personal surety bond and had no comment on the charges.

The indictment charges Borders solicited \$150,000 in return for a promise that Hastings restore forfeited assets and reduce sentences for convicted racketeers Frank and Thomas Romano. An FBI agent in an affidavit said he paid \$25,000 of the bribe as a down pay-

ment to Borders. Neither of the Romano brothers was involved in the undercover operation, according to their lawyer.

Defense lawyers indicated they may seek material obtained by the FBI in wiretaps on the homes and offices of the defendants.

Hastings will be asked to plead innocent or guilty as he appears before U.S. District Judge C. William Kraft Jr. of Philadelphia, who was vacationing here.

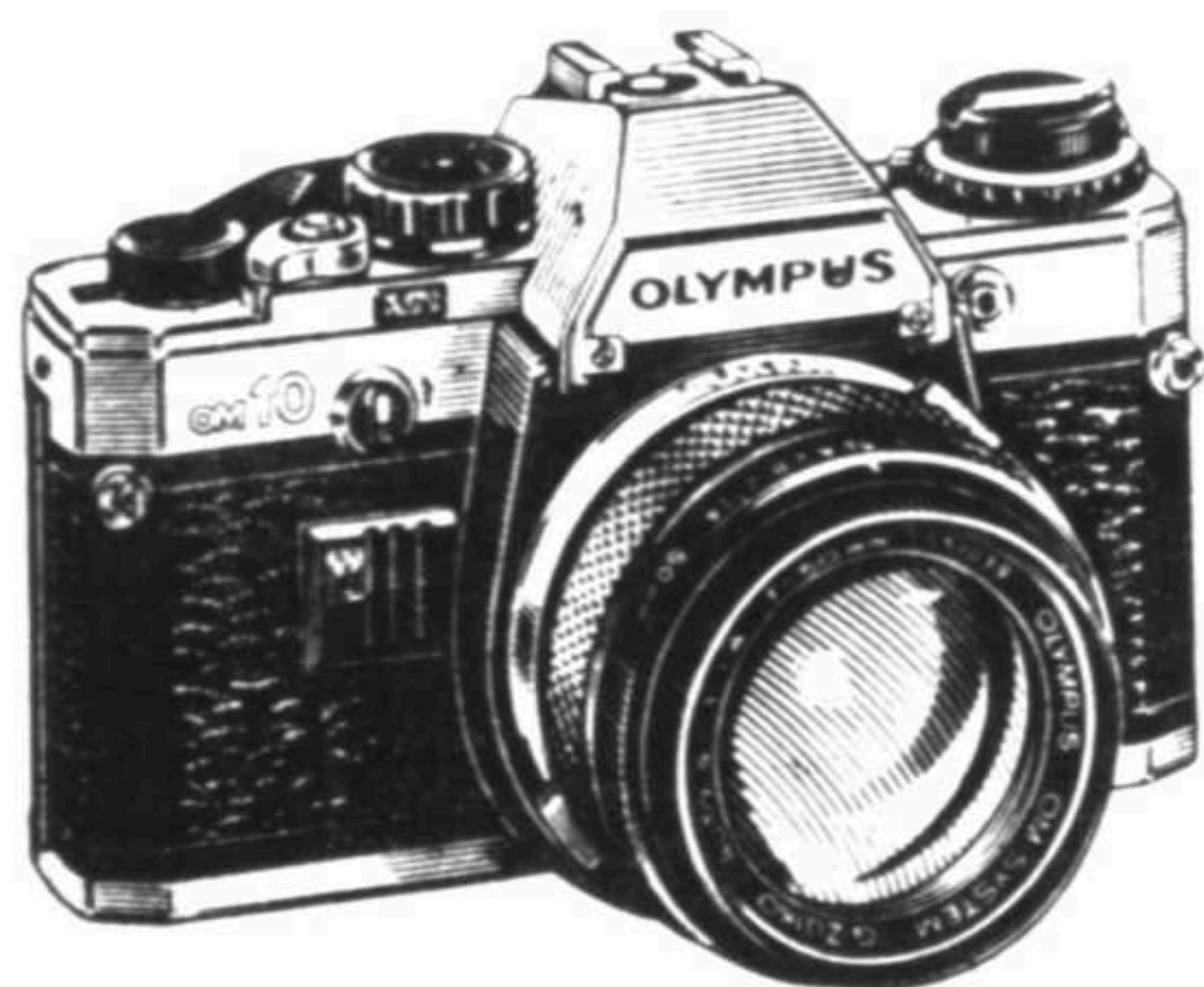
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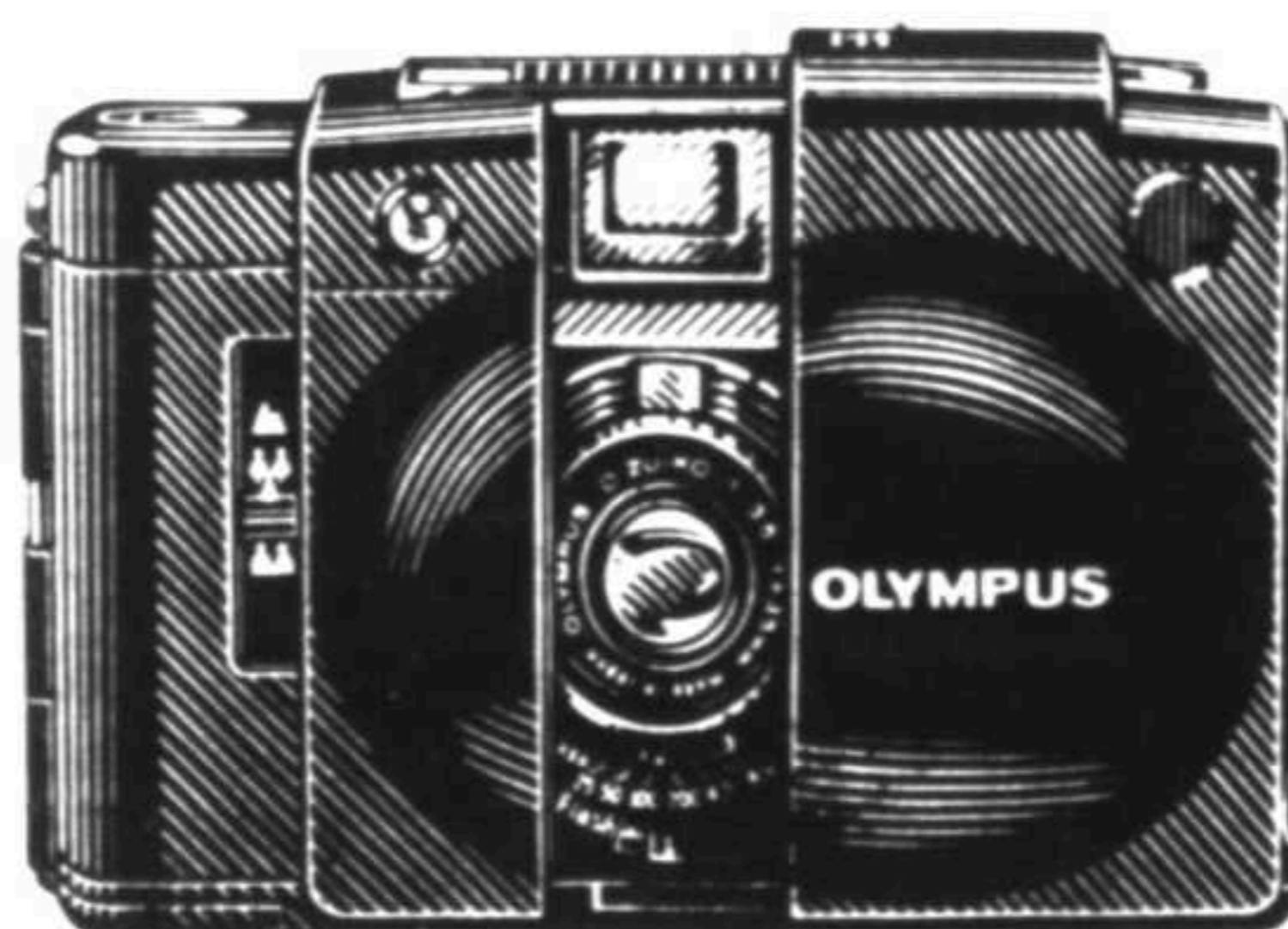


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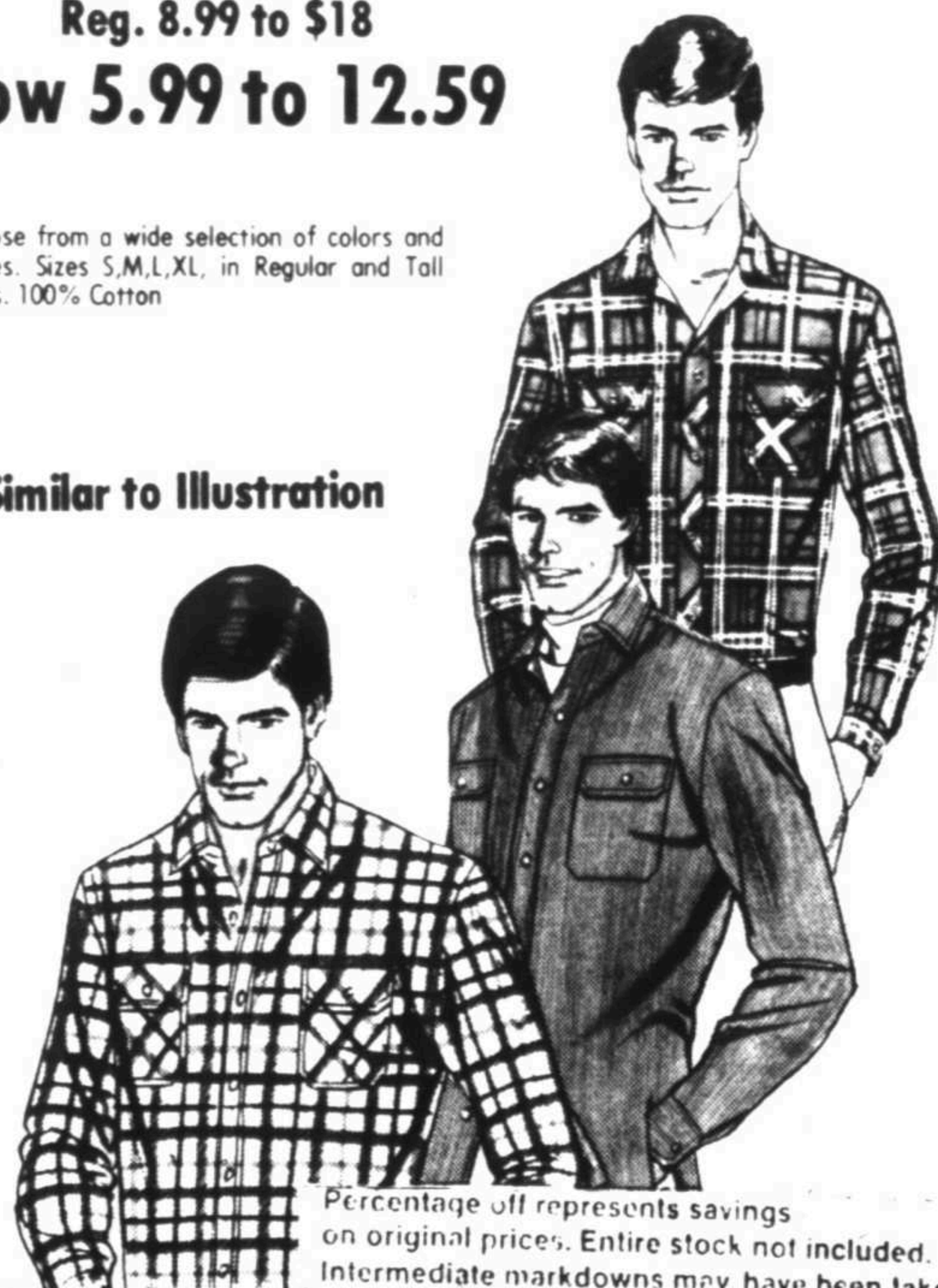
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